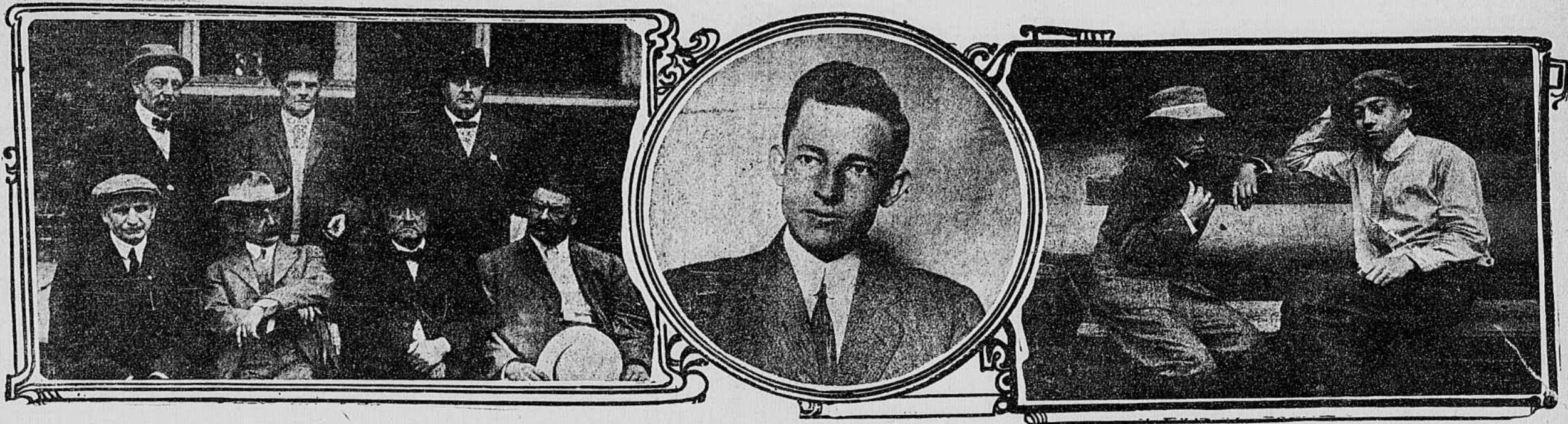


## Defense's Opening Day Brings Prisoner Small Comfort



Witnesses for defense—Reading from left to right—Seated: W. B. Bradley, Charles L. Page, John C. Robertson, D. L. Toney. Standing (left to right): George Garey, R. R. Robertson, John W. Moore.

HENRY C. BEATTIE, JR.  
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BROADNAX ROBERTSON.

ALEXANDER ROBERTSON.

### HAVE JONES AND GLASS VIOLATED PUBLICITY LAW?

Their Campaign Expense Accounts Not Filed in Time.

### HEAVY PENALTY MAY BE EXACTED.

Statements of Martin and Swanson Received by Secretary of Senate, but Their Opponents Apparently Have Failed to Comply With Legal Requirements.

Washington, D. C., August 30.—Primary election expense statements from Senators Thomas S. Martin and Claude A. Swanson, of Virginia, the first to be filed under the new publicity law that went into effect August 19, reached the office of Secretary Bennett of the Senate, to-day. In the absence of Secretary Bennett officials of his office declined to make them public.

Two of the candidates in the Virginia senatorial primaries, W. A. Jones and Carter Glass, have not yet reported their expenses to the secretary of the Senate, and apparently stand in violation of the law. The requirement is that the first expense statement shall be filed not later than ten days before the primary election. Yesterday was the last day in which statements could be deposited in the mail to comply with the law, the date of the primary being September 7. No reports had been received to-day from Congressmen Glass and Jones, who are contestants in the Virginia race against the two Senators.

Failure to file statements within the required time before election, if done willfully, carries with it the penalties of the law of 1910, namely, a fine not exceeding \$1,000 or imprisonment for not more than one year or both.

Following Secretary Bennett's declaration to make the expense statements public, a careful examination of the new publicity law resulted in the startling disclosure that in the act, presumed to be most drastic, there is no requirement for publicity of the individual statements filed by candidates for the Senate or the House of Representatives.

The law requires the filing of individual expense statements and pledges of appointments, but it is apparently left to the discretion of the secretary of the Senate or the clerk of the House, as the case may be, to decide whether these statements shall be given to the public. The publicity law of 1910 requires that the actual publicity to the individual expenses of campaign committees shall be a part of a public record in the office of the clerk of the House "and shall be open to public inspection."

### Law Entirely Silent.

The statements received to-day from Senators Martin and Swanson will be forwarded to Secretary Bennett in New York. What construction he will place on the new law is not known. It was generally understood here during the preparation of the new law, amending the act of 1910, that the amendments were designed to give publicity to the individual expenses of candidates for the Senate and House of Representatives. Much surprise was expressed to-day when it was realized that the law was entirely silent upon the matter of making these private expense statements public.

The law requires that the expenditures by committees in the election of representatives shall be a part of the public record of the House.

### May Be First Violators.

There was much interest in local political circles last night when it became known, through advices from Washington, that Representatives W.

### SEARCH OF COAST BEING MADE FOR DISABLED SHIPS

Rescue Fleet Composed of Flying Squadron of Revenue Cutters.

### HURRICANE HAS SPENT ITS FORCE

Sixteen on Steamer Lexington Rescued After Desperate Battle at Sea—Conditions More Normal in Charleston, With Losses Estimated at More Than \$1,000,000.

Washington, D. C., August 30.—A flying squadron of five revenue cutters is to-day searching the Atlantic coast from Key West to New York for disabled ships which may have been caught in the hurricane Monday and may be drifting north with the Gulf Stream. Commandant Berthoff said he was convinced there were many small sailing ships helpless at sea, unable to communicate their distress.

The Onondaga, at Norfolk; the Seminole, at Wilmington, N. C.; the Yamacraw, at Charleston; the Forward, at Key West, and the Seneca, at New York, comprise the rescue fleet. The Yamacraw, which did gallant work in taking off passengers from the liner Lexington, has been directed to search for the schooner Bessie Whiting, of New York, reported helpless ninety miles due east of Savannah, deserted by all her crew, and with only her captain, his wife and the cook aboard. The Seminole is searching for the schooner Fortuna, which also has aboard her captain, his wife and cook, her crew having been taken off by the tank steamer Ligonier.

The southern storm has spent its power and practically disappeared, according to statements from the Weather Bureau to-day. It was in no sense a West Indian hurricane, according to the government forecasters. The storm originated, so far as present reports show, somewhere southwest of the Bermuda Islands, between those islands and the American coast, breaking off the edge of the high pressure area.

Detailed reports have not been received in Washington from the affected areas, but are expected by mail within the next day or two. The Weather Bureau reports a low pressure area continuing in the South. Major-General Leonard Wood, chief of staff of the army, has been notified that sixteen buildings at Port Moultrie, Ga., were more or less damaged by the storm on the South Atlantic coast. No casualties were reported and no relief was asked.

### Rescued by Cutter.

Charleston, S. C., August 30.—Twelve passengers, a steward and three colored employees of the steamer Lexington, of the Miners' and Merchants' Line, were brought here early to-day by the revenue cutter Yamacraw, which left the captain and crew of forty-three men on board. Two firemen are reported to have been burned to death and a third terribly scalded. First Officer Chamberlain sustained a fracture of his right shoulder. The steamship has her nose imbedded in quicksand off Hunting Island, at the mouth of the Edisto River, and it is said that she will be a total loss.

The Lexington was bound from Savannah to Philadelphia with twelve passengers, all of whom were rescued. For twenty-four hours the steamship battled desperately against the hurricane, finally being driven aground, where the tremendous waves smashed violently against her, and where powerful wind tossed her about in the mud. Three times was she covered with water, the pumps expelling



CROWD NEAR COURTHOUSE. (Photo by W. W. Foster.)

### NEW GUN FOR USE AGAINST AIRSHIPS

Perfecting by Army and Soon Will Be Experimented With at Sandy Hook.

Washington, August 30.—A new six-pounder gun, equipped with specially adapted high explosive projectiles and shrapnel shells, to demolish aeroplanes and balloons in battle, has been perfected by the United States Army. It can be elevated at any angle, and possesses a maximum effective range of seven miles. The construction of the new rifle has just been completed at the Rock Island, Illinois, arsenal. Experiments with it will begin at the Sandy Hook proving grounds within a fortnight. The army thus is in advance of the navy, toward solution of the problem of defense against airships. The navy only a few days ago conducted its first tests with the carriage of a one-pounder gun. The shells which this army gun will hurl into the skies are described as remarkable devices. They will be loaded with dunnite or other high explosive, and upon bursting will send forth a shower of shot in a cone-like area, similar to the performance of a skyrocket, almost certain to strike an airship if aimed with any degree of accuracy. Other projectiles which have been designed for the new gun contain only a high explosive, which upon exploding would wreck any airship in its vicinity.

### Follows in Wake of Shell.

Following in the wake of these powerful projectiles will be tracers which will aid in accurately aiming the gun in the course of a hostile airship. The tracers to be used in the day-light hours will be of smoke, while sparks will show the path of the shell at night. The sight of the new gun also has been perfected, designed to meet the changing conditions of the tracing of a projectile, fired at varying angles. As soon as the angle of the aeroplane has been detected, the sight will automatically set the gun to the proper elevation. The gun is the result of experiments held at Sandy Hook several months ago.

In the experiments at Sandy Hook, the army will shoot at balloons and kite balloons, and possibly a real aeroplane will be used for the purpose of sighting at great distances. The Signal Corps will be asked to co-operate with the Ordnance Department and send one of its airships now at College Park, Md., to the proving grounds. Credit for the invention belongs to ordnance experts of the army working under direction of Brigadier-General William Crozier, chief of ordnance.

### GORMAN WINS BY ONE VOTE

Results of Maryland Primary as Shown by Practically Complete Returns. Baltimore, Md., August 30.—On the face of practically complete unofficial returns to-day from the Democratic primary election in Maryland yesterday, State Senator Arthur Pue Gorman defeated State Senator Blair Lee for the gubernatorial nomination by one vote in the State Convention to be held next month. Senator Gorman will have sixty-five votes as against sixty-four for Senator Lee. A factor that contributed to Senator Lee's defeat was the loss of one vote each in two of the counties he carried because of a decrease in population, as shown by the last census.

### FIVE YEARS' HUNT ENDS IN MEMPHIS

Negro and Wife Arrested After Long Search for Counterfeiters.

Washington, August 30.—A wavering red line, staggering across a street map of the city of Memphis, on the wall at secret service headquarters here, records the story of a five-years' hunt for a counterfeiter of silver dollars, which reached its climax in Memphis to-day with the arrest of John G. Payne, a negro, and his wife.

For more than five years the dollars which Payne is charged with making have been passing through banks in Memphis, and some have even reached the Subtreasuries. They were accounted among the most dangerous counterfeit money with which the government has had to deal. All the resources of the secret service failed to turn up a clue as to their source.

Three months ago Assistant Chief W. H. Moran, the government's crack man on difficult cases, sent "Bill" Nye, also one of the flower of the service, to Memphis. A few weeks later, at a negro emancipation celebration at Paducah, Nye picked up the first information which led to the identification of Payne as the man alleged to have been passing the dangerous coins.

Nye followed Payne back to Memphis, consulted with Moran, and the two men laid out a campaign.

### Trail Through City.

Then almost inch by inch Nye began picking a trail through the streets of Memphis to Payne's house. Every day Moran in Washington, with a pen and red ink, recorded the progress of Nye's search upon a map of the city of Memphis. A few days ago the thin red line came to an end in the suburbs of Memphis, eight miles from the heart of the city. It stopped in front of an isolated farm house, surrounded by a high board fence which made it impossible for Nye to see in the windows.

To-day Moran flashed a message over the wire to Memphis, and a few hours later Nye reported the arrest of Payne and his wife, as well as his capture of several of the counterfeit coins, the outfit for making them and the genuine dollars from which the moulds were made.

On the counterfeits have been peculiar little dents and scratches. Nye reported that he found them in the genuine coins he took in the raid. Moran says that proves that the moulds from which the counterfeiters were made were so perfect that they even reproduced the scratches and nicks of the genuine coins.

### WILL ACCEDE TO DEMANDS

Southern Wholesale Grocers Consent to Dissolution of Combination. Washington, August 30.—Lawyers representing the Southern Wholesale Grocers' Association, which the government is prosecuting as a trust under the Sherman law, have practically agreed to accede to the demands of the Department of Justice. A formal decree, which will accomplish the legal dissolution of the combination, is being prepared. In the grocers' submission to practically all the demands made by the government in its suit, another alleged combination, the so-called electrical trust, is also under dissolution by the same process. A formal decree in that case probably will be ready in a few weeks.



L. O. WENDENBURG.

### MADERO IS NAMED BY PROGRESSIVES

Gets Nomination for Presidency, With No Dissenting Voice.

Mexico City, August 30.—With no dissenting voice, Francisco I. Madero this afternoon received the nomination of the Progressive party for President, but Dr. Francisco Vasquez Gomez, his old running mate, and erstwhile agent of the revolution at Washington, was greeted by partisans of three other candidates for the vice-presidency.

When the convention adjourned to-night, the candidacy of no other man for the vice-presidency than Vasquez Gomez had been considered. Jose Pino Suarez continued a favorite in the betting, with Alfredo Robles Dominguez as second choice.

Madero was the only candidate for the presidency, whose name was placed before the convention. No speech was made. The chairman announced his candidacy, went through the formality of asking if there were others, and was greeted by a chorus of "noes." One delegate seated on the stage attempted to make a speech in Madero's support. The delegates shouted him down, and called for a vote. It was unanimous.

A committee was appointed to notify Madero of his nomination.

When it had performed its duty and reported that he had accepted and had agreed to appear before the body at 11 o'clock to-morrow, the convention adjourned, and marched in a body to Madero's home in Colonia Juarez.

Impromptu speeches were then exchanged, after which the newly-elected politicians left for their hotels.

Wearied by the exercise of their constitutional, but hitherto unused right to nominate candidates for the presidency and vice-presidency, delegates to the first national convention of the Progressive party late last night adopted a platform that sags beneath its burden of reform. The first plank of the platform provided for the strict maintenance of the Constitution of '57. Some delegate proposed that there be added to this, "and the laws of the reform," the measure by which Benito Juarez brought about the separation of church and state.

Delegates jealous of the untrammeled exercise of their civil rights, gesticulated and shouted their approval of the amendment.

In the end the plank as written was adopted.

The convention pledged its candidates to carry out the principles of anti-re-election, and to work for a revision of the election laws.

Another plank provides for a revision of the system of taxing, favors the department of public resources and promises to combat monopolies and special privileges.

The party pledges its representatives to work for a reform of the judicial and legal systems. Improvement in the educational system of the country also is promised.

If elected on this platform, Francisco I. Madero, Jr., may be expected to exercise a friendly interest in Central American affairs. One provision of the party's program is for an extension of the nation's friendly relations with foreign countries, "especially those of Latin America."

## HIGHWAYMAN IS BROUGHT FORTH, GUN ON SHOULDER

Beattie's Lawyers Produce Witnesses Who Saw Man With Scraggly Beard Sauntering Along Toward Turnpike.

## STATE TARRIES LONG ENOUGH TO SLAP BOY OFF THE STAGE

Commonwealth Refuses to Take New Development Seriously and Hints That Supposed Highwayman May Be Produced Under Real Guise in Court.

BY JOSEPH F. GEISINGER.

But for the dramatic entry of the bearded highwayman upon the scene and an occasional touch of blessed humor that helped lift the shadows for a moment, the trial of Henry Beattie, alleged wife murderer, dragged through a tame and uneventful sixth day, the Commonwealth finally resting and the defense opening its case.

Tarrying a moment to slap off the stage the irrepressible messenger boy, who strolled in the afternoon before with a story that threatened to upset one of the vital features of its whole carefully-balanced case, the State speedily closed, having little else to say until the rebuttal comes. Then the prisoner began his defense, and the trial took a turn into a new lane, revealing for the first time a glimpse of the other side of the picture. Isolated facts of considerable interest on their own account came forth now and then, but the signal event of the day was the definite indication of the line to be pursued by Beattie in his struggle against the heavy odds now massed before him. Very plainly, the prisoner's counsel, by their plan of attack, showed a purpose to stick firmly to the original story of the crime and to fight to a finish from this vantage ground. Not only was this true, but before the defense's return movement was two hours old it had ventured even to produce the highwayman himself, bringing him to view, with shotgun on shoulder, a few miles from the scene of the murder, a few hours before its occurrence, striding steadily toward the fatal spot. In fact, before the evening closed, two highwaymen had appeared, and, unfortunately for the defense, their beards did not match, one being gray and the other red.

### Henry Beattie More Cheerful.

When Henry Beattie went back to his lonely and cheerless cell last night he seemed in somewhat better spirits. The day had not brought a vast deal of comfort to him, but at all events the other side had ceased its merciless pounding, and he was beginning to hear something in his own favor at last. He took it very calmly. The circles around his eyes were deeper than ever, and his face was still haggard by comparison with his recent complaisant cast, but the dogged, hunted look that would steal upon him occasionally gave place to a distinctly more hopeful vision of the future, it seemed. Whatever it may mean to him in the end, the first stroke for him brought keen gratification to the prisoner in the mere fact of seeing some one willing to stand firmly by his side. At one time he leaned his head on the bar in front of him and laughed convulsively. The county clown was on the stand, and Beattie, he it said for him, laughed only because he could not do otherwise. Neither could any one else.

It is now believed that the trial will conclude by the middle of next week. With the State done and the defense's hand more or less clearly shown, there was some opportunity yesterday to get a practical view of the prospect. The defense will probably conclude its testimony by noon to-morrow with the appearance of the prisoner himself in the witness chair. The rebuttal will consume the remainder of that day and the morning of the following. It may be possible to get to the instructions by Saturday afternoon or by Monday morning at the latest. Then the argument will begin and continue two days. This would carry it up to Wednesday, when in all likelihood the jury will enter upon its consideration of the verdict.

What the rebuttal will bring forth it is impossible to say at this moment. A change had come over the face of things again yesterday, and it is now not certain after all that Beulah Binford, the woman in the case, will ever take the stand. Developments alone can decide this positively. The argument will precipitate one of the most brilliant legal battles of late years. In the forefront will stand Smith and Wendenburg, with Carter and Gregory ably supporting each. It will be a fight worth seeing.

### Many Highwaymen Appear.

The defense, with no blare of trumpets, quietly but rather suddenly, laid down its trump card soon after the dinner recess. A tottering but sharp-witted old farmer named Henshaw, a Mormon, had just given a rambling account of the discovery of a stranger in the Midlothian precincts a few days ahead of the crime. Henshaw saw him on three separate occasions—on Wednesday Friday and Monday preceding the homicide. Twice he was sitting by the roadside and once walking aimlessly along. This was within three-quarters of a mile from the spot where the murder was committed. The stranger was a stout, built man, rather tall, weighing about 180 pounds, about fifty years of age, with a two weeks' growth of beard on his face. The beard was gray. Altogether a very queer looking character, the wayfarer appeared to Henshaw to be a harmless lunatic.

Promptly after this witness came W. R. Holland, a carryman, springing